

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
)	CG Docket No. 02-278
Rules and Regulations Implementing the)	
Telephone Consumer Protection Act of 1991)	

COMMENTS

Donald J. Elardo, pursuant to a “Notice of Proposed Rulemaking” (FCC 07-203; rel. December 4, 2007), hereby offers comments responsive to said Notice.

In this Notice the Commission tentatively concludes it should amend its rules so that telemarketers will be required to honor registrations entered into the “National Do-Not-Call Registry” until a registered telephone number either is cancelled by the consumer or removed from the Registry database by virtue of its being disconnected or reassigned. The alternative to adopting this change is to continue under the current rule, which provides for registrations to expire after five years with the result that affected consumers would need to re-register their numbers or suffer what the rule was designed to prevent, namely, the receipt of unwanted telemarketing calls.

There are few rules in telecommunications that produce so great a public benefit as this one, and extending it indefinitely would enhance that benefit by assuring that consumers continue to receive what they’ve come to expect, specifically, insulation from telemarketers. As the Commission notes, consumers may once again receive telemarketing calls if they choose, and the regular maintenance of the Registry assures

that those interested in the “release” of telephone numbers for the potential receipt of telemarketing calls are not unreasonably disadvantaged. This provides a reasonable balance; and it justifies the imposition of the time-expanded restraint on otherwise lawful activities.

There is no basis to conclude that the Federal Trade Commission will not fully support the Commission in its effort here. In this regard, it can be expected that inter-agency co-ordination and co-operation, as necessary, will take place.

Accordingly, the Commission is requested to promptly adopt its proposed rule to relieve consumers of any need to re-register their telephone numbers in the National Do-Not-Call Registry.

Respectfully submitted,

/s/ Donald J. Elardo

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